

from warehouse for consumption, on and after the effective dates specified in those annexes;

(e) The United States Trade Representative shall make the necessary determinations relevant to the designation of the effective dates of the modifications of the TSUS made by Sections F and G of Annex II and Section C of Annex III to this proclamation, and shall publish in the **Federal Register** the effective date with respect to each of the modifications made by these sections; such modifications shall apply to articles entered, or withdrawn from warehouse for consumption, on and after such effective date;

45 FR 45229.  
93 Stat. 1782.

(f) With respect to the modifications to the TSUS made by Annex IV to this proclamation and Annex IV to Presidential Proclamation 4707 of December 11, 1979, relating to special treatment for the least developed developing countries (LDDC's), whenever the rate of duty specified in the column numbered 1 for any TSUS item is reduced to the same level as the corresponding rate of duty specified in the column entitled "LDDC" for such item, or to a lower level, the rate of duty in the column entitled "LDDC" shall be deleted from the TSUS;

93 Stat. 1629,  
1782.

(g) Annexes III and IV of Presidential Proclamation 4707 of December 11, 1979, are superseded to the extent inconsistent with this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of June, in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fourth.

JIMMY CARTER

**Editorial Note:** The annexes to Proclamation 4768 are printed in the **Federal Register** of July 2, 1980 (45 FR 45135).

#### Proclamation 4769 of June 30, 1980

### Extension of the Orderly Marketing Agreements and Temporary Quantitative Limitations on the Importation Into the United States of Color Television Receivers and Certain Subassemblies Thereof

By the President of the United States of America

#### A Proclamation

19 USC 1202.

*Ante*, p. 3757.

1. By Proclamation 4634 of January 26, 1979, the President proclaimed, under the authority of the Constitution and the statutes of the United States, including sections 203(a)(5), (e)(3) and (g)(2) of the Trade Act of 1974 (19 U.S.C. 2253(a)(5), (e)(3) and (g)(2)) (the Trade Act), the implementation of the orderly marketing agreements entered into with Taiwan and with the Republic of Korea which imposed quantitative restrictions on imports from Taiwan and Korea of color television receivers and certain subassemblies thereof. The limitations applied to covered articles entered, or withdrawn from warehouse for consumption, on or after February 1, 1979, and were to continue through June 30, 1980, unless earlier modified or terminated. Proclamation 4759 of May 15, 1980, modified Proclamation 4634. The limitations currently in effect, applicable to articles provided for in items 923.74 through 923.83, inclusive of the Tariff Schedules of the United States (TSUS)

(19 U.S.C. 1202), will terminate at the close of June 30, 1980, unless extended by the President under section 203(h)(3) of the Trade Act (19 U.S.C. 2253(h)(3)).

2. On May 16, 1980, the United States International Trade Commission (USITC), in accordance with sections 203(i) (3) and (5) of the Trade Act (19 U.S.C. 2253(i) (3) and (5)), reported the results of its investigation under section 203(i)(3) of the Trade Act (19 U.S.C. 2253(i)(3)) to the President (USITC Publication 1068). The USITC advised the President that termination of the import relief currently in effect with respect to certain color television receivers and subassemblies thereof will have an adverse effect on the domestic industry producing like or directly competitive products.

3. Section 203(h)(3) and (5) of the Trade Act (19 U.S.C. 2253(h)(3) and (5)) provides that any import relief instituted under the authority of section 203 may be extended by the President at a level no greater than that in effect at the time of extension if the President determines, after considering the advice of the USITC and the factors indicated in section 202(c) of the Trade Act (19 U.S.C. 2252(c)), that such extension is in the national interest.

4. In accordance with section 203(h)(3) of the Trade Act (19 U.S.C. 2253(h)(3)), I have determined that the level of import relief hereinafter proclaimed extends import relief at a level no greater than that in effect for the period of February 1, 1979 through June 30, 1980, and, having considered the advice given by the USITC in its report to the President and the factors indicated in section 202(c) of the Trade Act (19 U.S.C. 2252(c)), I have determined that the extension of the orderly marketing agreements with the Coordinating Council for North American Affairs and the Republic of Korea, covering certain color television receivers and subassemblies thereof as provided in the Annex to this proclamation, is in the national interest.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, acting under the authority vested in me in the Constitution and the statutes of the United States, including section 203 of the Trade Act (19 U.S.C. 2253), section 604 of the Trade Act (19 U.S.C. 2483), section 301 of Title 3 of the United States Code, and sections 4(b)(2) and 6(b) of the Taiwan Relations Act (22 U.S.C. 3303(b)(2) and 3305(b)), and in accordance with Article XIX of the General Agreement on Tariffs and Trade (GATT) (61 Stat. (pt. 5) A58; 8 UST (pt. 2) 1786), do proclaim that—

(1) Orderly marketing agreements, with respect to trade in certain color television receivers and subassemblies thereof, extending in part those currently in effect, were initialed June 28, 1980 by the Government of the United States of America and the Government of the Republic of Korea, and on June 28, 1980 by the American Institute in Taiwan and the Coordinating Council for North American Affairs. Both agreements will be signed in the near future.

These agreements, which will be made effective July 1, 1980, are to be implemented according to their terms and by the quantitative restrictions as directed in this proclamation, including the Annex.

(2) The Tariff Schedules of the United States (19 U.S.C. 1202) are modified as set forth in the Annex to this proclamation.

(3) The authority of the President under section 203(e)(2) of the Trade Act (19 U.S.C. 2253(e)(2)) to negotiate orderly marketing agreements with other foreign country suppliers of articles subject to this proclamation after any import relief proclaimed pursuant to section 203(a)(1), (2), (3) or (5) of the Trade Act (19 U.S.C. 2253(a)(1), (2), (3) or (5)) takes effect is delegated to the United States Trade Representative (Trade Representative). The author-

ity of the President, under section 203(e)(3) of the Trade Act (19 U.S.C. 2253(e)(3)) to determine that any agreement negotiated pursuant to section 203(a)(4) or (5) or 203(e)(2) of the Trade Act (19 U.S.C. 2253(a)(4) or (5) or 2253(e)(2)) is no longer effective, is delegated to the Trade Representative, to be exercised after consultation with representatives of the member agencies of the Trade Policy Committee. In the event of such a determination, the Trade Representative shall submit to the President a proclamation to implement import relief authorized by section 203(e)(3) of the Trade Act (19 U.S.C. 2253(e)(3)).

19 USC 2111  
note.

(4) The authority of the President in section 203(g)(1) and (2) of the Trade Act (19 U.S.C. 2253(g)(1) and (2)), having been delegated to the Secretary of the Treasury under section 5(b) of Executive Order No. 11846, shall be exercised by the Secretary of the Treasury, upon direction by the Trade Representative, in consultation with representatives of the member agencies of the Trade Policy Committee.

(5) In exercising the authority delegated in paragraphs (3) and (4) above, the Trade Representative shall, in addition to other necessary actions, institute the following actions:

(a) Statistics on imports of articles covered by the agreements shall be collected on a monthly basis.

(b) If, for two years beginning on July 1, 1980, the quantity of imports of the articles covered by the agreements from sources other than those covered by the agreements described in paragraph (1) appears likely to disrupt the effectiveness of the provisions of the orderly marketing agreements described in paragraph (1) above, the Trade Representative may initiate consultations with those countries and may exercise the authority under 203(g)(2) of the Trade Act (19 U.S.C. 2253(g)(2)) to prevent further entry of such articles for the remainder of that restraint period or otherwise moderate or restrict imports of such articles from such countries. Before exercising this authority, the Trade Representative shall consult with representatives of the member agencies of the Trade Policy Committee.

(c) Should the Trade Representative, under the authority of this proclamation, determine to institute import restrictions on articles entered, or withdrawn from warehouse for consumption, from sources other than those covered by the agreements described in paragraph (1) that action shall be effective not less than eight days after the publication in the **Federal Register** of the determination and any necessary changes in the TSUS.

(6) The Trade Representative shall take those actions and perform those functions for the United States which may be necessary concerning the administration, implementation, modification, amendment or termination of the agreements described in paragraph (1) of this proclamation, and any actions and functions necessary to implement paragraphs (3), (4) and (5) of this proclamation. In carrying out his responsibilities under this paragraph, the Trade Representative is authorized to delegate, to appropriate officials or agencies of the United States, authority to perform any functions necessary for the administration and implementation of the agreements or actions. The Trade Representative is authorized to make any changes in the TSUS which may be necessary to carry out the agreements or actions. Any changes in the agreements shall be effective not less than 8 days following their publication in the **Federal Register**.

(7) The Commissioner of Customs shall take those actions which the Trade Representative determines are necessary to carry out the agreements described in paragraph (1) of this proclamation and to implement any import relief under the authority of paragraphs (3), (4) and (5) of this proclamation.

or any modification of it, with respect to the entry, or withdrawal from warehouse for consumption, into the United States of products covered by the agreements or by other import relief authorized above.

(8) The USITC shall issue reports and conduct the following surveys with respect to the certain color television receivers, and subassemblies thereof the subject of this proclamation:

(a) *Quarterly* surveys by calendar quarter to obtain from producers in the United States monthly data on production, shipments, inventories, employment, man-hours, prices, and other economic factors indicative of conditions in the U.S. industry. The initial surveys shall cover the second quarter of 1980. Subsequent surveys shall cover individual quarters with the last such survey covering the quarter which ends not less than 60 days prior to the termination of the import relief. The USITC shall publish the results of the surveys within 45 days after the end of the surveyed quarter.

(b) *Annual*. Annual surveys to obtain data from producers in the United States by calendar quarter on profits, capacity, and annual data on capital expenditures and research and development expenditures; and to obtain from importers data by calendar quarter on prices, orders, and inventories. The initial surveys shall cover the calendar year 1980, and the results shall be published by March 31, 1981. The results of subsequent surveys shall be published by March 31 of each year thereafter so long as the import relief is in effect.

(9) This proclamation shall be effective as of July 1, 1980, and shall continue in force through June 30, 1982, unless the period of its effectiveness is earlier expressly modified or terminated.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of June, in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fourth.

JIMMY CARTER

Annex

Subpart A, part 2 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is modified—

(a) by redesignating headnotes 5, 6 and 7 as headnotes 6, 7, and 8, respectively, and by inserting the following new headnote 5 in numerical sequence:

"5. *quantitative limitation on certain color television receivers and certain subassemblies thereof*.—The provisions of this headnote apply to items 923.66 through 923.72, inclusive, of this subpart. The quantitative import limitations imposed are in addition to the duties provided for the restrained articles in schedule 6, part 5. The import restrictions provided for in this subpart do not apply to a single color television receiver if imported for the personal use of the importer.

(a) Definitions.—For the purposes of this subpart—

(i) the term "*color television receivers*" refers to—

(1) fully assembled color television receivers, whether or not packaged or tested, for distribution to the ultimate purchaser,

(2) kits containing all the parts necessary for assembly of a complete color television receiver, and

(3) assemblies other than the above, which consist at least of, or are covered in the same entry with, a color picture tube and a printed circuit board



or ceramic substrate, with components assembled thereon, designed to perform the intermediate frequency amplification functions or the picture and audio demodulation functions of a color television receiver;

(ii) each subassembly for a color television receiver that contains as a component, or is covered in the same entry with, one or more of the following television components, viz., tuner, channel selector assembly, antenna, deflection yoke, degaussing coil, picture tube mounting bracket, grounding assembly, parts necessary for fixing the picture tube or tuner in place, consumer operated controls, or speaker, shall be classified in items 923.69 or 923.72;

(iii) for the purpose of items 923.69 and 923.72, each subassembly shall be counted as a single unit, except that two or more different printed circuit boards or ceramic substrates covered by the same entry and designed for assembly into the same television models shall be counted as one unit;

(iv) the term "*exported*" refers to the actual date the merchandise finally leaves the country of exportation for the United States as provided for in section 152.1(c) of the U.S. Customs Regulations (19 CFR 152.1(c)).

(b) *Export visa*.—None of the color television receivers provided for herein exported on or after July 1, 1980, may be entered unless such color television receivers are accompanied by an appropriate export visa.

(c) *Color television receivers exported and entered in different restraint periods*.—Color television receivers provided for in items 923.66 through 923.72, inclusive, which are exported during one restraint period, but are entered more than 90 days following the beginning of the subsequent restraint period, shall be counted against the restraint level for that subsequent restraint period. Color television receivers provided for in items 923.66 through 923.72, inclusive, which are exported during one restraint period in excess of the restraint level for such period, may be entered after the beginning of that subsequent restraint period and shall be counted against the restraint level for that subsequent restraint period.

(d) *Carryover*.—If the restraint level for color television receivers has not been filled for the restraint period ending June 30, 1980, or the restraint period ending June 30, 1981, upon appropriate request of the Coordinating Council for North American Affairs (CCNAA) or the Government of the Republic of Korea, the shortfall may be entered during the following restraint period provided that the amount of shortfall so entered does not exceed 11 percent of the restraint level for the restraint period during which the shortfall occurred.

(e) *Exceeding restraint levels*.—Upon appropriate request of the CCNAA or of the Government of the Republic of Korea, the restraint level for item 923.66 or 923.70 may be exceeded by not more than 10 percent. If the restraint level is exceeded, the United States Trade Representative shall make a downward adjustment of the restraint level for item 923.68 or 923.71, in the absolute amount the restraint level for item 923.66 or 923.70 was exceeded.

(b) by deleting headnote 6(f), as redesignated herein, and substituting the following new headnote 6(f) in lieu thereof:

"(f) *Exceeding restraint levels*.—The restraint level for item 923.83 may be exceeded by not more than 50,000 units.";

(c) by inserting in numerical sequence the following new provisions:

Item	Articles	
<p>Whenever the respective aggregate quantity of color television receivers and subassemblies thereof specified below for items 923.66 through 923.72, inclusive, the product of Taiwan or of the Republic of Korea has been exported in any restraint period and has been entered, no article in such item the product of Taiwan or of the Republic of Korea exported during such restraint period may be entered except, as provided in headnote 5:</p>		
<p>Taiwan:</p>		
	Color television receivers, having a single picture tube intended for direct viewing, with a video display diagonal of 12.5 inches and over, provided for in items 685.11 or 685.14:	
923.66	If exported during the period from July 1, 1980, through June 30, 1981, inclusive .....	400,000
923.68	If exported during the period from July 1, 1981, through June 30, 1982 inclusive .....	425,000
923.69	Printed circuit boards and ceramic substrates with components assembled thereon, for color television receivers; subassemblies containing one or more of such boards or substrates, except tuners or convergence assemblies, all the foregoing not having a picture tube, and entered with components enumerated in headnote 5(a)(ii) and with all or part of a chassis frame, provided for in item 685.15.....	No restriction
<p>Republic of Korea:</p>		
	Color television receivers, having a single picture tube intended for direct viewing, with a video display diagonal of 12.5 inches and over, provided for in items 685.11 or 685.14:	
923.70	If exported during the period from July 1, 1980, through June 30, 1981, inclusive .....	385,000
923.71	If exported during the period from July 1, 1981, through June 30, 1982, inclusive .....	575,000
923.72	Printed circuit boards and ceramic substrates with components assembled thereon, for color television receivers; subassemblies containing one or more of such boards or substrates, except tuners or convergence assemblies, all the foregoing not having a picture tube, and entered with components enumerated in headnote 5(a)(ii) and with all or part of chassis frame, provided for in item 685.15.....	No restriction

(d) by deleting headnote 6, as redesignated herein, and items 923.74 through 923.83, inclusive, including the superior headings thereto, effective October 1, 1980.

# Proclamation 4770 of July 1, 1980

## Amendment of Proclamation No. 4663 Regarding the Allocation of Quotas on Certain Sugars, Sirups, and Molasses

By the President of the United States of America

### A Proclamation

1. Proclamation No. 4663 of May 24, 1979, modified Headnote 3 of Subpart A, Part 10, Schedule 1 of the Tariff Schedules of the United States (TSUS)